



STATE OF DELAWARE  
DEPARTMENT OF FINANCE  
DIVISION OF REVENUE  
DELAWARE STATE BUILDING  
820 N. FRENCH STREET  
WILMINGTON, DELAWARE 19801

DIVISION OF REVENUE  
TAX RULING 79-2

May 23, 1979

- Harness Racing Meet Operators - License Fees -  
Chapter 23, Title 30, Delaware Code.

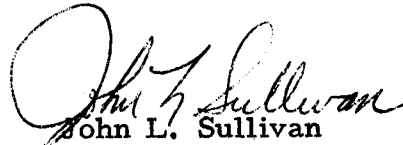
House Bill No. 231, 130th General Assembly, approved April 5, 1979, (Chap. 18, Vol. 62, Laws of Del.), amended Chapter 23, Title 30, Delaware Code, relating to occupational and business licenses, by adding a new Section 2305 to impose certain license fees on operators of harness horse racing meets in Delaware and on harness horse owners, trainers and drivers licensed by the Delaware Harness Racing Commission to conduct racing meets in this State pursuant to Chapter 5, Title 28, Delaware Code.

Section 2305 (b) of the new law imposes on every harness racing meet operator a license fee of 75/100 of 1% of the aggregate gross receipts of such operator, payable monthly to the Division of Revenue on or before the 20th day of each month with respect to the gross receipts for the preceding month. For this purpose, gross receipts includes the total contributions to all pari-mutuel and totalizator pools, as well as all amounts received for admission, parking, catering, sale of programs or any other source at any harness race meet conducted at such racetrack after December 31, 1978. However, for the period January 1, 1979, through December 31, 1980, the total contributions to all pari-mutuel and totalizator pools conducted or made at any racetrack shall be excluded from taxable gross receipts in computing the tax due under this subsection. All such contributions made prior to January 1, 1981, are subject to tax under Chapter 5, Title 28, Delaware Code.

Section 2305 (c) of the new law imposes on every harness race horse owners, trainer and driver a license fee of 4/10 of 1% of the gross receipts paid to such persons as purse money in connection with any harness racing meet conducted in this State after December 31, 1978. The operator licensed to conduct the harness racing meet is required to withhold a sum equal to the aggregate liability imposed under this subsection with

respect to the total purse money paid to all harness race horse owners, trainers or drivers during each month, and to report and pay the amount thereof to the Division of Revenue on or before the 20th day of the succeeding month.

The license fees imposed by this Bill are in lieu of any other license fees imposed under Part III, Title 30, Delaware Code. Tax Newsgram 75-11, dated June 17, 1975, insofar as it applies to owners, trainers and drivers participating in harness horse racing meets is revoked effective January 1, 1979.



John L. Sullivan  
Director of Revenue

RRS/mrs